

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 24-cr-169 (JWB/TNL)

Plaintiff,

v.

ORDER

Timothy Michael Decker,

Defendant.

This matter comes before the Court on Defendant Timothy Michael Decker's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 16. Defendant also filed a Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act, ECF No. 17. Defendant requests a 30-day extension of the deadline for filing pretrial motions (July 22, 2024) and the motions hearing date (August 16, 2024) because Defendant needs additional time to review discovery, conduct investigation, and consult with his attorney before deciding how to proceed in this matter. *See* ECF No. 16. Defendant also requests the Court to exclude the period of time from July 16, 2024 through the new deadline to file pretrial motions (August 21, 2024) from the Speedy Trial Act computations. *See id.*; ECF No. 17. The Government does not oppose the requests. *See* ECF No. 17.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy

trial, and such continuance is necessary to provide the parties and their counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 16, is **GRANTED**.

2. The period of time from **July 16, 2024 through August 21, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **August 21, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

4. **Counsel shall electronically file a letter on or before August 21, 2024, if no motions will be filed and there is no need for a hearing.**

5. All responses to motions shall be filed by **September 4, 2024**. D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses shall be filed by **September 4, 2024**. D. Minn. LR 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses shall be filed by **September 9, 2024**. D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures, and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **September 12, 2024, at 10:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

10. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:**
the following trial and trial-related dates are:

Counsel should submit two hard copies of trial briefs, voir dire, proposed jury instructions, exhibit and witness lists, and trial-related motions (including motions in limine) to District Judge Jerry W. Blackwell's chambers on or before *a date to be determined*. In addition, counsel should email the proposed jury instructions and exhibit and witness lists to: blackwell_chambers@mnd.uscourts.gov.

Judge Blackwell will hold a final pretrial on *a date to be determined* in **Courtroom 3B**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

This case must commence trial on *a date to be determined* before District Judge Blackwell in **Courtroom 3B**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Blackwell to confirm the new trial date.**

Dated: July 22, 2024

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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